



1
2 UNITED STATES OF AMERICA

3 vs.

4
5 **BARBARA FAYE HAIGHT**

6 Name

12-CR-17-WFN-3

File No.

7
8 **AGREEMENT FOR PRE-TRIAL DIVERSION**

9 It appearing that you are reported to have committed an offense against the
10 United States on or about January 10, 2012, in violation of Title 18, United States
11 Code, Section 752(a), in that you did Aid and Assist the Escape of Federal
12 Prisoner SANDRA DUFFY, upon your accepting responsibility for this act, and it
13 further appearing, after an investigation of the offense, and your background, that
14 the interest of the United States and your own interest and the interest of justice
15 will be served by the following procedure, therefore,

16 On the authority of the Attorney General of the United States, by Michael C.
17 Ormsby, United States Attorney for the Eastern District of Washington,
18 prosecution in this District for this offense shall be deferred for a period of 18
19 months, *supervised* by the United States Probation Office, from the date of the
20 filing/signing of this agreement, provided you abide by the following conditions
21 and the requirements of the program set out below:

22 Should you violate the conditions of this supervision, the United States
23 Attorney may revoke or modify any conditions of this pre-trial diversion program
24 or change the period of supervision which shall in no case exceed twenty four
25 months. The United States Attorney may at any time within the period of your
26 supervision initiate prosecution for this offense should you violate the conditions
of this supervision and will furnish you with notice specifying the conditions of
your program which you have violated.

If, upon completion of your period of supervision, a pre-trial diversion
report is received to the effect that you have complied with all the rules,

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1 regulations and conditions above mentioned, no prosecution for the offense set out
2 on page 1 of this agreement will be instituted in this District, and any indictment
3 or information will be discharged. Additionally, if after 12 months you have
4 successfully completed the terms of this agreement and have no violations of its
conditions you may motion the Court for early termination of your supervision.

5 Neither this agreement nor any other document filed with the United States
6 Attorney as a result of your participation in the Pre-Trial Diversion Program will
7 be used against you, except for impeachment purposes, in connection with any
prosecution for the above described offense.

8 **CONDITIONS OF PRE-TRIAL DIVERSION**

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10 1. **Cooperation:**

11 The Defendant agrees to cooperate completely and truthfully with the
United States as follows:

12 (a.) **Debriefings:**

13 The Defendant agrees to participate in full debriefings by federal and local
14 investigative agencies about all the Defendant's knowledge of illegal conduct
involved in this investigation, at times and places to be decided by these agencies.
15 The Defendant agrees to provide complete, accurate and truthful information to
these agencies. The Defendant agrees to not falsely implicate any person or entity
16 and agrees to not protect any person or entity through false information or
omission.

17 It is understood that the Defendant may have an attorney present at any or
all such debriefings.

18 (b.) **Testimony:**

19 The Defendant agrees to testify completely and truthfully at any subsequent
20 hearing, grand jury proceeding, or other federal or state court proceeding
involving co-defendants or any other person involved in this criminal
investigation.

21 Both the Defendant and the United States agree to request a reasonable
22 continuance of the sentencing date in order to ensure that the Defendant testifies
pursuant to this provision prior to sentencing.

23 (c.) **Notification:**

24 The Defendant agrees to immediately notify the United States Attorney's
25 Office if the Defendant is contacted, interviewed, subpoenaed or requested to

1 testify for or against any other person.

2 (d.) Effect of Breach:

3 The Defendant agrees that if the Defendant breaches this Pre Trial
4 Diversion Agreement, the agreement is null and void and the Defendant expressly
5 waives the right to challenge the initiation of additional charges against the
6 Defendant for any criminal activity and agrees that the United States may make
7 derivative use of and may pursue any investigative leads suggested by the
8 Defendant's statements and cooperation.

9 This agreement does not protect the Defendant from prosecution for perjury,
10 obstruction of justice, or any other offense should the Defendant commit any
11 crime during the Defendant's cooperation under this agreement.

12 2. You shall comply with the standard conditions of supervision
13 as directed by the United States Probation Office.

14 3. As standard condition of supervision, you shall maintain employment.
15 If you are not employed, you shall complete 40 hours of community service.

16 BARBARA FAYE HAIGHT, assert and certify that I am aware of the fact that the
17 Sixth Amendment to the Constitution of the United States provides that in all
18 criminal prosecutions the accused shall enjoy the right to a speedy and public trial.
19 I also an aware that Rule 48(b) of the Federal Rules of Criminal Procedure
20 provides that the Court may dismiss an indictment, information, or complaint for
21 unnecessary delay in presenting a charge to the Grand Jury, filing an information
22 or in bringing a defendant to trial. I hereby request that the United States Attorney
23 for the Eastern District of Washington defer any prosecution of me for violation of
24 Title 18 United States Code, Section 752(a) for a period of 18 months, and to
25 induce him to defer such prosecution I agree and consent that any delay from the
26 date of this Agreement to the date of the initiation of the prosecution, as provided
for in the terms expressed herein, shall be deemed to be a necessary delay at my
request and I waive any defense to such prosecution on the ground that such delay
operated to deny my rights under Rule 48(b) of the Federal Rules of Criminal
Procedure and the Sixth Amendment to the Constitution of the United States to a
speedy trial or to bar the prosecution by reason of the running of the statute of
limitations for a period of 24 months, which is the maximum potential period of
this Agreement.

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2 I hereby state that the above has been read by me. I understand the
3 conditions of my pre-trial diversion and agree that I will comply with them.
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6 Barbara Faye Haight 4-30-2012
BARBARA FAYE HAIGHT DATE

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9 Ronald Van Wert 04-30-2012
10 Ronald Van Wert DATE
11 Defendant's Attorney

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14 Stephanie Van Marter 4-30-12
15 Stephanie Van Marter DATE
16 Assistant United States Attorney

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18 APPROVED without passing judgment on the merits or wisdom of this diversion.
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21 Wm. Fremming Nielsen 4/30/12
22 Wm. Fremming Nielsen DATE
23 United States District Court Judge